

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LILAX TECHNOLOGIES INC.,

Plaintiff,

08 Civ. 3400(PKC)

-against-

ORDER

APPOLO SERVICES CORPORATION,  
Defendant.  
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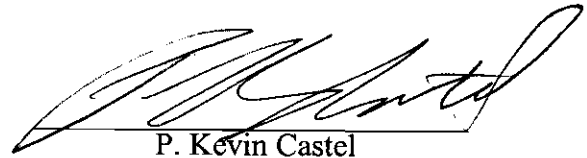
P. KEVIN CASTEL, District Judge:

According to the civil cover sheet, plaintiff Lilax Technologies Inc., represented by counsel, invokes jurisdiction by reason of diversity of citizenship of the parties. 28 U.S.C. § 1332. The allegations of jurisdiction are woefully inadequate. Rule 8(a), Fed. R. Civ. P. Neither the state of incorporation nor the location of the principal place of business of the plaintiff is alleged. While the complaint alleges that the defendant is organized under the laws of the state of New York, its principal place of business is not alleged. 28 U.S.C. § 1332(c)(1). There is no allegation of damages in excess of the jurisdictional threshold. 28 U.S.C. § 1332(a). The pleading raises a substantial question of whether the jurisdictional minimum could truthfully be alleged because the first count for breach of contract seeks damages in the amount of \$15,456.

By April 28, 2008, plaintiff shall amend its complaint to cure the jurisdictional deficiencies. If plaintiff is unable to amend by the foregoing date to truthfully allege a basis for jurisdiction, then the complaint will be dismissed for lack of subject matter jurisdiction. In the event, plaintiff amends it shall show cause in writing by April 28 why the matter ought not be assigned to the White Plains under Rule 21(a)(i) or (iii) of the Rules for the Division

of Business Among District Judges.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Kevin Castel', is written over a horizontal line.

P. Kevin Castel  
United States District Judge

Dated: New York, New York  
April 14, 2008